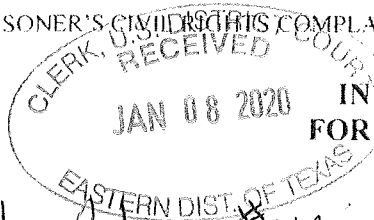


PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 05/2015)



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

Alex Adams #1181239

Plaintiff's Name and ID Number

Coffield Unit

Place of Confinement

CASE NO. 6:20CV11 JDK/KNM

(Clerk will assign the number)

v.

Lorie Davis - Director - TDCJ

Defendant's Name and Address

Ashlee Cantwell, CO IV

Defendant's Name and Address

Capt. Embra - Disciplinary

Defendant's Name and Address

(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

FILING FEE AND IN FORMA PAUPERIS (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of **\$400.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "NOTICE TO THE COURT OF CHANGE OF ADDRESS" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? ☒ YES ☐ NO
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: 12-18-19
 2. Parties to previous lawsuit:

Plaintiff(s) Alex Adams #1181239

Defendant(s) Kim Ogg, Texas D.N.A. MX. Project, Randi Capone, Loric Davis
 3. Court: (If federal, name the district; if state, name the county.) Southern District
 4. Cause number: 4:19-CV-04948
 5. Name of judge to whom case was assigned: N/A
 6. Disposition: (Was the case dismissed, appealed, still pending?) still pending
 7. Approximate date of disposition: N/A

II. PLACE OF PRESENT CONFINEMENT: Coffield Unit

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure?

☒ YES ☐ NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: Alex Adams #1181239, Coffield Unit, 2661 F.M. 2054, Tennessee Colony, Tx. 75884

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: Lorie Davis - Director T.D.S., P.O. BOX 99, Huntsville Tx. 75342

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Policy's in place have harm me greatly, and failure to enforce other.

Defendant #2: Ashlee Cantwell, LOIU Michael Unit, 2664 F.M. 2054, Tennessee Colony, Tx. 75886

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Assaulted me, and gave false claim I beat her beyond first aid.

Defendant #3: Capt. Embra, Disciplinary, Coffield Unit. 2661 F.M. 2054, Tennessee Colony, Tx. 75884

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Railroad me in court, and did care claims were false

Defendant #4: Sub-Counsel-Whitfield, Disciplinary Coffield Unit, 2661 F.M. 2054, Tennessee Colony, Tx. 75884

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Did not do her job prepare for court, or report staff misconduct

Defendant #5: Sub-consul-K. Henry, Disciplinary Coffield Unit 2661 F.M. 2054, Tennessee Colony, TX 75884

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Did not report staff misconduct, or defend me in court

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

On 10-25-19 in front of 3C-58B on Michael Unit. I was push into that cell, and assaulted by staff. I suffered a broken tooth, swollen face, and a cut under my chin. I was denied med. treatment, and transported to Coffield unit with no property etc. Place in security detention ad-seg. Without being found guilty of wrong doing. On 10-28-19 staff finally documented my injury and down played them, my tooth was removed 10-30-19 TO date I have lost over 18 pounds due to treatment by staff and stress. On 11-7-19 Sub-counsel Whitfield serve me a case in which a false claim by officer Cantwell states I beat her beyond first aid.

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Please Change T.D.C.J. Policy my Life is in danger. "Protect me" I already loss alot of wieght and mental health is not Helping. "Transfer me close to Houston" for visitation.

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

Alex Adams

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

1181239

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): N/A

2. Case number: N/A

3. Approximate date sanctions were imposed: N/A

4. Have the sanctions been lifted or otherwise satisfied? YES ☐ NO ☐

PRISONER CIVIL RIGHTS COMPLAINT

Grievance #2020052995 is the Appeal "They don't care about what is right."

Disciplinary Case #20200056906 States: At M.I. Unit (3C-58B) I Alex Adams #1181239 ASSAULTED Officer Cantwell, Ashlee CoTV by striking her with closed fist on her head, face, and by grabbing her by the hair. The assault resulted in injuries that required treatment beyond first aid. I am Innocent Please order my record cleared and look at my history.

I am the victim of Official Oppression: I suffered a broken tooth, cut under my chin, swollen face, and strabismus. I was denied Med. my injury were constantly overlooked by staff. It took five days for them to pull the broken tooth. Inmates have a Co-Pay. I should receive same care as in free world. The tooth could have been fixed or given an implant. I need denture etc. T.O.C.J. Policy need to change. I should not have been placed in security detention until proven guilty.

Security Camera's show and Officer Cantwell at hearings said that she pushed me, and punched me. Capt. Pena ran court on 12-6-19 stated if she went to the Med. it beyond first aid. I was guilty. That my injuries did not matter, and O.I.G. is not involved. Also this is over 24 working days later. T.O.C.J. Policy is they have 20 working days to run a disciplinary case. Also the Sst. whom investigate the case was involved with my assault and use of force. Staff misconduct was not reported by anybody. I have talked to even my grievances have not gotten me relief. This is ongoing. Please review my history on 5-4-18 I was victim to abnormal behavior all my grievances have went to final step but yet to have relief. I Plead with this court for relief. I am in fear for my life. They are getting bolder and more harsh. In how they treat me. Before this they took my line one for refusing med. and refusing housekeeping. I sign a refusal. "Please review my history" "You can go back two years." Please Help me! I have resent Grievance #. I don't have any property to date.

Use of Force Grievance #2020027901 it was referred to region II that's all I know. O.I.G. has yet to get involved even though I was and have reported I was assaulted by staff. Camera's show this happen to me.

In Grievance #2020030788 I request several policy change that will help prevent incident and uplift inmates and officer moral. I was told to address one issue at a time and no relief was given on disciplinary case. Please look at disciplinary history. It proves Official Oppression I have been treated unfairly for awhile now. I scared at what will happen to me next.

In Grievance #2020046486 Sub-Consul Whitfield serve me disciplinary case named above. and when I went to court on 12-6-19 my complaint was validated. They were not prepared. And it also proves my grievances do nothing. Please look at my history I never get any relief. And I'm in the right. I remind you I sign a med. refusal.

In Grievance #2020051233 Capt. Embra make a joke of my position and state all she has to do is go to med. and it beyond first aid. He did not care what the cameras show. He was rude just a complete asshole. I'm Innocent of assaulting staff. I was assaulted Camera's show med. report shows my injury. They beat my ass. And I'm in ad-seg. But S.C.C. whom you have to see within 60 days say I not in Ad-seg. Cause they don't have any paperwork on me. It's up to U.C.C. what to do with me.

Grievance #2019127307 is within two years, but to date I don't have my property now or then. Officer Vent also wrote me a case. also. Grievance #2020054772 is about property here at Co. Please help me I have been mistreated for a long time. Order them to do right.

C. Has any court ever warned or notified you that sanctions could be imposed? YES ☐ NO ☒

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): N/A
2. Case number: N/A
3. Approximate date warning was issued: N/A

Executed on: _____
DATE

Alex Adams
(Signature of Plaintiff)

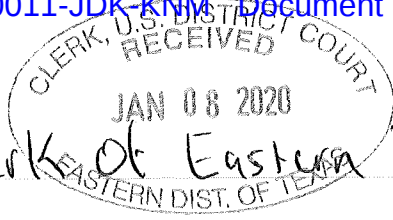
PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this _____ day of _____, 20____.
(Day) (month) (year)

Alex Adams
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.



Dear: Clerk of Eastern District 12- 19

I write out of emergency. My life is in danger. I been here at C.O. Unit since 10-25-19, and med records will show I lost over 18 Pound last I seen them was two week ago. I've complian to Mental Health I was taken off all med. I don't have any Grievance only a few Grievance # I explain as bluntly as possible my position. This is a desperate attempt for help. Nothing or anyone I talk to have help me. Let alone report staff misconduct. It been going on for years, but I understand this court can go back two year. Paperwork is on record.

Please read carefully, and know I tried to explain as bluntly as possible. How even State Classification have over look my position. letterly look the other way. I never file a suit like this I been in prison for 18 1/2 years, and note my appeal still are not exhausted. They talk about a P.D.R. that was do in 2004. I have a Actual Innocence Claim based on New DNA.

Please this suit needs emergency attention
"I'm standing" They are really doing all I claim.

Thank You

Alex Adams

Alex Adams #1181239

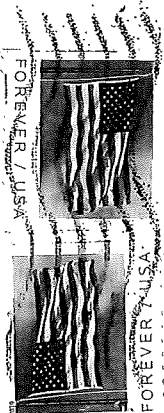
C.O. Unit

2661 F.M. 2054

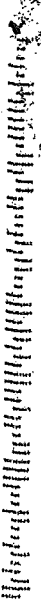
Tennessee Colony Tx. 75884

Alex Adams #1181239
Coffield Unit
2661 F.M. 2054
Tennessee Colony, TX. 75884

NORTH TEXAS TX PSDC
DALLAS TX 75205
05 JAN 2020 PM 2:1



75702-722039



United States District Court
Eastern District of Texas
Tyler Division
211 W. Ferguson St, Rm. 106
TYLER, TX. 75702